

# SENATE . . . . . No. 2112

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## The Commonwealth of Massachusetts

PRESENTED BY:

**James B. Eldridge**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

**An Act Establishing a State Emergency Response Fund.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James B. Eldridge	Middlesex and Worcester
Jennifer L. Flanagan	Worcester and Middlesex
Jennifer M. Callahan	18th Worcester
James Arciero	2nd Middlesex
Jennifer Benson	37th Middlesex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT ESTABLISHING A STATE EMERGENCY RESPONSE FUND.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

Chapter 10 of the General Laws is hereby amended by inserting after section 35JJ the following section:-

Section 35KK. There shall be established and set up on the books of the commonwealth a State Emergency Response Fund to provide payment for expenses incurred by local governments as a result of activities associated with the preparation for and response to an emergency or disaster following a declaration by the governor if the local governmental unit or public or private property within the local governmental unit is in the area so designated under the declaration. The expenditure for such purpose from another source may be eligible to be repaid from the fund if the agency utilizing the fund has certified the necessity of such action to the director of the Massachusetts emergency management agency. There shall be credited to the fund amounts appropriated to it for its purposes. Monies in the fund shall be invested in the same manner as monies in the General Fund. Interest earned on investment of monies in the fund shall be deposited in and credited to the fund. Unexpended and unencumbered monies in the fund shall remain in the fund. Monies in the fund shall be appropriated, administered and used solely as provided in subsection (b).

15 (b) Monies in the fund shall be expended at the discretion of the director of the Massachusetts  
16 emergency management agency and shall be used to provide funds to that agency. Assistance under this  
17 section may be provided only during the 90-day period following the date of a declaration of a major  
18 disaster or emergency. Monies in the fund may also be utilized to provide bridge funding in anticipation  
19 of reimbursements from the federal government or another source. Any reimbursement received for  
20 expenses paid from the fund shall be returned to and deposited into the fund.

21 (c) The fund may make low-interest or interest-free loans to local governmental units to help fund  
22 all or part of emergency public works projects. Emergency public works projects shall include the  
23 construction, repair, reconstruction, replacement, rehabilitation or improvement of any public  
24 infrastructure damaged or made otherwise unusable within a declared disaster area. The loans may be  
25 used less any reimbursement from any of the following sources: (1) federal disaster or emergency funds,  
26 including funds from the federal emergency management agency; (2) disaster or emergency funds from  
27 the commonwealth; (3) insurance settlements; or (4) litigation.